

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN RE COMPLIANCE)	PDC CASE NO: #01-134
WITH RCW 42.17)	
)	REPORT OF INVESTIGATION
Protect Our Pets and Wildlife)	
)	
Respondent.)	
)	

I.

BACKGROUND

- 1.1 On October 20, 2000, the Public Disclosure Commission received a complaint from Ed Owens, Chair of Citizens for Responsible Wildlife Management, alleging a violation of RCW 42.17.080, RCW 42.17.090 and RCW 42.17.510 by Protect Our Pets and Wildlife. The complaint alleges that Protect Our Pets and Wildlife failed to report in kind contributions, failed to timely report orders placed and expenditures made for a broadcast media buy, and failed to include the proper sponsor identification in political advertising paid for by Protect Our Pets and Wildlife.

II.

SCOPE

- 2.1 Staff reviewed the following documents from the complainant:
1. Complaint letter dated October 19, 2000.
 2. Dear Progressive Animal Welfare Society supporter letter that references I-713 campaign.
 3. Email dated July 14, 2000 from Ed Owens to Washington Falconers Association.
 4. Copy of postcard entitled "Vote Yes! On Initiative 713" addressed from a Mildred Witham of Springfield, Missouri.

5. Transcription of Protect Our Pets and Wildlife broadcast advertisement from October 25, 2000 (from KCPQ, Channel 13 FOX). Ed Owens delivered this transcription to the Public Disclosure on October 27, 2000.
- 2.2 Staff reviewed the response from the respondent:
 1. Response dated November 9, 2000 from Protect Our Pets and Wildlife.
 2. Response dated January 5, 2001, faxed from Shawn Newman, attorney for Protect Our Pets and Wildlife.
- 2.3 Staff reviewed Independent Campaign Expenditures (PDC form C-6) from Kathy Kelly, Executive Director of Progressive Animal Society, Inc., filed on February 2, 2001 with letter of explanation for the late filing.
- 2.4 Staff reviewed expenditure reports (PDC form Schedule A) and in kind contributions and orders placed (PDC form Schedule B) filed by Protect Our Pets and Wildlife from July 2000 until December 2000.
- 2.5 Staff members of the Public Disclosure Commission conducted an interview under oath with Lisa Wathne, of the Protect our Pets and Wildlife committee on January 17, 2001 at the office of the Public Disclosure Commission. Shawn Newman, attorney at law for Protect our Pets and Wildlife represented Ms. Wathne.
- 2.6 Staff reviewed the cost per station breakdown for the Fenn & King Communications media buy provided in the amended Schedule B to C-4 filed on November 3, 2000.
- 2.7 Staff contacted nine of the nine television stations listed on the media buy spreadsheet reported by Protect Our Pets and Wildlife to verify the media buy.

III.

LAW

- 3.1 **RCW 42.17.020 (14)(b)(v)** states in part:

"Contribution" does not include: An internal political communication primarily limited to the members of or contributors to a political party organization or political committee, or to the officers, management staff, or stockholders of a corporation or similar enterprise, or to the members of a labor organization or other membership organization;

- 3.2 **RCW 42.17.020 (19)** defines expenditure as:

(19) "Expenditure" includes a payment, contribution, subscription, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an

expenditure. The term "expenditure" also includes a promise to pay, a payment, or a transfer of anything of value in exchange for goods, services, property, facilities, or anything of value for the purpose of assisting, benefiting, or honoring any public official or candidate, or assisting in furthering or opposing any election campaign. For the purposes of this chapter, agreements to make expenditures, contracts, and promises to pay may be reported as estimated obligations until actual payment is made...

3.3 RCW 42.17.090 Contents of report.

- (1) Each report required under RCW 42.17.080 (1) and (2) shall disclose the following:

- (h) The name and address of any person and the amount owed for any debt, obligation, note, unpaid loan, or other liability in the amount of more than two hundred fifty dollars or in the amount of more than fifty dollars that has been outstanding for over thirty days;

3.4 RCW 42.17.100 states in part:

- (1) For the purposes of this section and RCW 42.17.550 the term "independent expenditure" means any expenditure that is made in support of or in opposition to any candidate or ballot proposition and is not otherwise required to be reported pursuant to RCW 42.17.060, 42.17.080, or 42.17.090. "Independent expenditure" does not include: An internal political communication primarily limited to the contributors to a political party organization or political action committee, or the officers, management staff, and stockholders of a corporation or similar enterprise, or the members of a labor organization or other membership organization;

3.5 RCW 42.17.510 states in part:

- (1) All radio and television political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name.
- (2) The statements and listings of contributors required by subsections (1) and (2) of this section shall: (d) Be clearly spoken on any broadcast advertisement.

3.6 WAC 390-05-190 Agent -- Definition. "Agent," as that term is used in chapter 42.17 RCW and Title 390 WAC, means a person, whether the authority or consent is direct or indirect, express or implied, oral or written, who:

- (1) Is authorized by another to act on his or her behalf; or
- (2) Represents and acts for another with the authority or consent of the person represented; or
- (3) Acts for or in place of another by authority from him or her.

3.7 WAC 390-16-205 Expenditures by agents, employees -- Reporting.

Expenditures made on behalf of a candidate or political committee by any person, agency, firm, organization, etc. employed or retained for the purpose of organizing,

directing, managing or assisting the candidate's or committee's efforts shall be deemed expenditures by the candidate or committee. Such expenditures shall be reported by the candidate or committee as if made or incurred by the candidate or committee directly.

IV.

FINDINGS

- 4.1 On October 6, 1999, Protect Our Pets and Wildlife submitted a political committee registration form (PDC form C-1pc) forming a political committee in support of Initiative No. 713 (I-713), an initiative to the people making it a gross misdemeanor to capture an animal with certain body-gripping traps and poisons.

The campaign manager listed on the Protect Our Pets and Wildlife registration form was Lisa Wathne, of the Humane Society. She was an employee of the US Humane Society, who paid her salary during the campaign. In the past, Ms. Wathne was campaign sponsor and co-coordinator of the pro Initiative No. 655 (I-655) campaign. Lynne Marachario was listed as the campaign treasurer. On the registration form, the committee selected the full reporting option.

During the 2000 election campaign, the committee received \$935,994.94 in contributions and made \$927,454.70 in expenditures, of which \$535,205.00 was spent on "T.V. Media Buy".

- 4.2 Political committees under the "full reporting" that are supporting or opposing a statewide initiative are required to file a Summary Full Report Receipts and Expenditures (PDC form C-4) 21 days and 7 days before the general election. The 21-day pre-general report period was due on October 17, 2000 covered the period September 12, 2000 through October 10, 2000. The 7-day pre-general report was due on October 31, 2000 covered the period October 11, 2000 through October 30, 2000.
- 4.3 On October 12, 2000, Protect Our Pets and Wildlife filed a C-4 report for the period of October 1, 2000 to October 12, 2000. This report reflected a balance of \$540,319.52 and did not include any orders placed, debts or obligations or in kind contributions listed (PDC form Schedule B). **(Exhibit 1)**
- 4.4 On October 20, 2000, the Public Disclosure Commission received a complaint from Ed Owens, Chairperson for Citizens for Responsible Wildlife Management. **(Exhibit 2)** The complaint alleged:
- Protect Our Pets and Wildlife failed to include the proper sponsor identification clearly spoken in broadcast advertisements paid for and sponsored by Protect Our Pets and Wildlife. Mr. Owens added this issue to his complaint on October 27, 2000;

- Protect Our Pets and Wildlife failed to report an in kind contribution from a postcard mailing that did not contain sponsor identification;
- Protect Our Pets and Wildlife failed to report orders and expenditures made for broadcast media advertisements;
- Protect Our Pets and Wildlife failed to report an in kind contribution from Progressive Animal Welfare Society for the costs associated with a flyer entitled “Dear PAWS Supporter” that was allegedly sent to a nonmember of the organization (Washington Falconer’s Association).

Sponsor Identification

- 4.5 On October 20, 2000, broadcast, political ads paid for and sponsored by Protect Our Pets and Wildlife began running in the Spokane, Yakima and Seattle markets. The broadcast ads publicized the committee’s support of an initiative to the people making it a gross misdemeanor to capture an animal with certain body-gripping traps and poisons. The advertisements contained written sponsor identification only, indicating that Protect Our Pets and Wildlife had paid for the advertising but failed to also contain spoken sponsor identification.

According to Lisa Wathne in an interview with The Olympian, these ads depicted wildlife in various traps and an Olympia-area domestic cat that lost a leg in a trap. On October 23, 2000, KING-TV of Seattle opted to pull the ads due to its graphic nature.

- 4.6 On October 27, 2000, Public Disclosure staff contacted Lisa Wathne, campaign manager for Protect Our Pets and Wildlife, and informed her via voicemail that the broadcast advertisements currently running are required to contain spoken sponsor identification in order to comply with RCW 42.17.510.
- 4.7 On October 30, 2000, Lisa Wathne contacted the Public Disclosure Commission and stated the broadcast media advertisements had been re-edited over the weekend of October 28 to include both spoken and written sponsor identification. She stated the versions of the ads containing only the written sponsor identification were no longer running.
- 4.8 On November 9, 2000, Shawn Newman, attorney for Protect Our Pets and Wildlife filed an initial response to the complaint and noted he would follow-up with another response at an unspecified date. **(Exhibit 3)** In regards to the postcard mailing, Mr. Newman states: **“According to Lisa Wathne, the campaign did send postcards out. However, if you look at the postcard attached to the complaint, it is allegedly from a Mildred Watham of Springfield, Missouri to a Miss Watham. Whether this person is a registered voter or not is certainly not germane. On its face, the example used by the complaint is suspect. I would need to examine the original sample. Nevertheless, the extent any postcard sent by the campaign failed to identify the sponsor, the campaign stands ready to rectify that oversight.”**

- 4.9 On January 5, 2001, Shawn Newman, attorney for Protect Our Pets and Wildlife filed a second response via fax. **(Exhibit 7)** On the fax cover sheet, Mr. Newman acknowledges that Protect Our Pets and Wildlife coordinated and sent the postcard mailing referenced in the complaint.
- 4.10 On January 17, 2001, Lisa Wathne provided a sworn statement at the office of the Public Disclosure Commission, in Olympia, Washington. When asked if the lack of proper sponsor identification on the postcard mailing was an oversight, Ms. Wathne stated: **“Yes, absolutely.” (Exhibit 6)**
- 4.11 October 26, 2000, Protect Our Pets and Wildlife filed a Schedule A to C-4, reporting an expenditure for postage, printing and mailing costs totaling \$38,478.47 paid on October 19, 2000 to Matt Kuzzins & Kumpany, 926 J. Street, #1218, Sacramento, CA 95814 for the postcard mailing. **(Exhibit 4)** The postcard mailing was sent to 8,966 households.

Media Buy Breakdown/Reporting

- 4.12 On October 27, 2000, Public Disclosure staff contacted Lisa Wathne, campaign manager for Protect Our Pets and Wildlife, and advised the committee via voicemail to provide a station-by-station breakdown of expenditures made for the media on the committee’s most recent C-4 report. PDC staff further instructed Ms. Wathne to disclose orders placed, debts or estimated expenditures on Schedule B to C-4. Political committees disclose on a C-4 report orders placed, obligations owed or estimated expenditures that are more than \$250.00.
- 4.13 Protect Our Pets filed a C-4 report on October 26, 2000 that contained contributions and expenditures activity covering the period October 13, 2000 through October 26, 2000. **(Exhibit 4)** This report listed an expenditure paid on October 18, 2000 to Fenn & King with “T.V. Media Buy” listed as the purpose. No breakdown of the media buy with the regard to the cost per station was provided. The amount of the expenditure was \$535,205.00.
- 4.14 On October 30, 2000, Lisa Wathne contacted the Public Disclosure Commission and stated the committee would amend the previous C-4 report to reflect the placement of the broadcast media advertising order, including a breakdown of the stations, run dates and cost per market for the advertisements.
- 4.15 On November 3, 2000, Protect Our Pets and Wildlife submitted an amended C-4 report covering the period of October 13, 2000 through October 26, 2000. **(Exhibit 8)** This report included liabilities of \$500,150.00 reported on line 19 and included an attached Schedule B, that listed an order placed or obligation to Fenn Communications for \$500,150 on August 31, 2000 described as “Media Buy”. An attached memo provided a station-by-station breakdown and included TV stations, dates, and cost of the advertisements.

4.16 On November 9, 2000, Shawn Newman, attorney for Protect Our Pets and Wildlife filed an initial response to the complaint and noted he would follow-up with another response at an unspecified date. **(Exhibit 3)** In regards to the media purchase, Mr. Newman states: **“The complaint is based on determinations made by the complaining party of when media orders were placed, stating that some appear to be placed on October 10th or 11th which would not be reported until this month. While I am still checking this out, it would be helpful to know who Mr. Owens spoke with at the stations mentioned in his letter.”**

4.17 From late November to December 8, 2000, Public Disclosure staff contacted the following media broadcasters concerning the date Fenn & King offered to purchase media time, the station’s cancellation policy, and the start and end dates of the media advertising. In general, the television stations operate under a two-week notification policy, by which an entity may cancel advertisements without incurring an obligation to pay for the airtime. If the entity does not provide two-week cancellation notice, they are charged for the advertising time the station was unable to re-fill. The last column details the C-4 due date to list the obligation, and what date the obligation was reported.

Station:	Cost of ads ¹ :	Date of offer to purchase media time:	Station cancellation policy: (Confirmed on 07/01/01)	Run start/end date of ads:	Date obligation incurred:	C-4 due date/ and date obligation reported:
KOMO, Seattle	\$130,700	<ul style="list-style-type: none"> • 09/01/00 • 09/05/00 • 09/14/00 	Policy - Two-week notification prior to airtime or required to pay 100% of unfilled airtime. (Per Scott Hainer, General Sales Manager)	10/20/00 – 10/23/00 10/31/00 – 11/06/00 10/24/00 – 10/30/00	10/07/00	Due on October 17, 2000, reported on November 3, 2000 (17 days late)
KIRO, Seattle	\$103,350	<ul style="list-style-type: none"> • 09/14/00 • 09/27/00 • 09/27/00 • 10/26/00 	Policy - Two-week notification prior to airtime or required to pay 100% of unfilled airtime. (Per Mike Poth, Sales Manager)	10/20/00 – 10/23/00 10/24/00 – 10/30/00 10/31-00 – 11/06/00 10/26/00 – 11/05/00	10/07/00	Due on October 17, 2000, reported on November 3, 2000 (17 days late)
KING, Seattle	Unknown	<ul style="list-style-type: none"> • 08/31/00 cancelled • 08/31/00 cancelled • 08/31/00 cancelled • 11/04/00 	Policy - Two-week notification prior to airtime or required to pay 100% of unfilled airtime. However, if station does not accept ads, entity is not obligated to pay. (Per Ron Cochran, Sales Manager)	10/20/00 – 10/23/00 10/24/00 – 10/30/00 10/31/00 – 11/06/00 11/03/00 – 11/06/00	Cancelled by station 10/20/00	Due on October 31, 2000, reported on November 3, 2000 (3 days late)

1 Estimated cost of political ads as reported by Protect Our Pets and Wildlife on November 3, 2000.

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Station:	Cost of ads ² :	Date of offer to purchase media time:	Station cancellation policy: (Confirmed on 07/01/01)	Run start/end date of ads:	Date obligation incurred:	C-4 report date to list obligation (date obligation incurred):
KCPQ, Channel 13 FOX, Seattle	\$61,2000 (Reflects actual cost – ads not reported on 11/3/00 list.)	Unknown	Policy - Two-week notification prior to airtime or required to pay 100% of unfilled airtime. (Per Chris Schuler, Sales Manager)	10/23/00 – 11/06/00	10/09/00	Due on October 17, 2000, reported on November 3, 2000 (17 days late)
KHQ, Spokane	\$26,025	<ul style="list-style-type: none"> • 10/3/00 • 10/3/00 • 11/03/00 	Policy - Two-week notification prior to airtime or required to pay 100% of unfilled airtime. (Per Bill Storms, Sales Manager)	10/20/00 – 10/23/00 10/24/00 – 10/30/00 10/31/00 – 11/06/00	10/07/00	Due on October 17, 2000, reported on November 3, 2000 (17 days late)
KREM, Spokane	\$11,450	Not provided.	Policy - Two-week notification prior to airtime or required to pay 100% of unfilled airtime. (Per Amy Warren, Sales Manager)	10/20/00 – 10/23/00 10/24/00 – 10/30/00 10/31/00 – 11/06/00	10/07/00	Due on October 17, 2000, reported on November 3, 2000 (17 days late)
KXLY, Spokane	\$19,665	Not provided.	Policy - Two-week notification prior to airtime or required to pay 100% of unfilled airtime. (Per Lane Guin, General Manager)	10/20/00 – 10/23/00 10/24/00 – 10/30/00 10/31/00 – 11/06/00	10/07/00	Due on October 17, 2000, reported on November 3, 2000 (17 days late)
KIMA, Yakima	\$15,880	Orders received on 10/15/00.	Policy - Ten business days notification prior to airtime but <u>NOT</u> required to pay for unfilled airtime. (Per Ken Messer, Sales Manger)	10/20/00 – 10/23/00 10/24/00 – 10/30/00 10/31/00 – 11/06/00	10/16/00	Due on October 31, 2000, reported on November 3, 2000 (3 days late)
KNDO, Yakima	\$16,650	Contract date – 10/18/00 Contract date – 10/02/00 Contract date – 10/30/00	Unknown	10/20/00 – 10/23/00 10/24/00 – 10/30/00 10/31/00 – 11/06/00		

2 Estimated cost of political ads as reported by Protect Our Pets and Wildlife on November 3, 2000.

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KAPP, Yakima	\$8,780	Not provided.	Policy - Two week notification prior to airtime or required to pay 100% of unfilled airtime. (Per Shane Pierone, Sales Manager)	10/20/00 – 10/23/00 10/24/00 – 10/30/00 10/31/00 – 11/06/00	10/07/00	Due on October 17, 2000, reported on November 3, 2000 (17 days late)
	\$393,655					

4.18 On January 5, 2001, Shawn Newman, attorney for Protect Our Pets and Wildlife provided a declaration from Peter Fenn, of political consultant Fenn & King Communications of Washington D.C., dated January 5, 2001. **(Exhibit 7)** In the statement, Mr. Fenn explains his understanding of an obligation as it relates to purchasing media time:

- A. **“My firm was retained by Protect Our Pets and Wildlife [ProPaws] to produce advertising and provide strategy and place ads.”**
- B. **“An expenditure has not been made, and no obligation is incurred by merely offering to purchase media time. Time buying involves placing an order (making an offer to purchase specific media time) with an acceptance of that offer dependent upon ad approval by the media outlet and price fluctuations which can change dramatically from when the request is made and ad is placed. For example, the rate for an ad on the evening news in Spokane at the end of August was \$600 but shot up to \$1,800 by the end of September.”**
- C. **“In the ProPaws campaign, we made offers to by media time with some outlets (e.g. KIRO) only to have them reject the ad. Thus, even though an offer to purchase media time had been made, it was not accepted and no expenditure made.”**
- D. **“We cut our first check for the purchase of media time in Washington State on October 18, 2000.”**

4.19 On January 17, 2001, Lisa Wathne provided a sworn statement at the office of the Public Disclosure Commission, in Olympia, Washington. **(Exhibit 6)** In reference to the relationship between Fenn & King Communications and the committee, Ms. Wathne provided the following information:

- A. When asked what Fenn & King Communications were contracted to do, Ms. Wathne stated: **“To my knowledge to produce our television ads and do the actual buying and placement, to actually pace those ads and find a time, you know choose the time slots to put them in, working with whatever, however much money we had by the end of the campaign to do it.”**
- B. When asked what the budget was for the media buy, Ms. Wathne stated: **“Again, there was never any necessarily a specific budget laid out. We went into the initiative campaign with the plan or the goal being that we would spend \$500,000 on media and then once the signature – gathering phase of the**

campaign was over with, we moved into fundraising and worked to get ourselves to that goal, which we did.

- C. When asked when Fenn & King Communications ordered the advertisements, Ms. Wathne stated: **“I don’t know.”** When asked whether she knew what was happening around August, early September in developing the ads, Ms. Wathne stated: **“There was nothing going on regarding developing the ads. I know that at that time, I don’t know, I think I know that’s the time when Fenn & King Communications was beginning to look into, was beginning to contact the media markets to find out what the prices were going to be, prices and time slots, is when they started exploring.”**
- D. When asked whether the committee treasurer was in contact with Fenn & King Communications to find out what was being spent, Ms. Wathne stated: **“No. Because again, we had our money, had our money for media and sent the whole lump to them.”** Ms. Wathne stated that the date the funds were transferred to Fenn & King was **“October 18.”**

4.20 On January 18, 2001, Public Disclosure Commission staff inquired with three broadcast stations for the process by which media advertisements are placed. These inquires indicated the following:

- Bill Storms, of KHQ in Spokane, Washington stated that a national sales firm, Blair Television, takes the initial order. The national sales firm sends the order to the local television stations for review, at which time an order is issued. The station then reviews the tape of the advertisement and sends written confirmation to the national sales representative. Payment is due before the advertisements is broadcasted.
- Mike Poth of KIRO in Seattle, Washington stated that the advertising agency contacts local station for policy, pricing, and availability of time slots. When the terms are agreed upon, the station will receive an insertion order (much like a purchase order) from the advertising agency’s representatives. The station sends back a contract form and confirmation. There is an obligation to pay at the time of the contract (or provide two-weeks notice to pull the ads and no obligation).
- Mike Eguchi of KOMO in Seattle, Washington stated that an advertising agency is employed to book advertisements for the station. Once the amount of time is decided upon, a contract is generated (which is used to generate an invoice). The ads cannot run until a contract is in place.

In Kind Contributions/ Independent Expenditures

4.21 On November 2, 2000, Kathy Kelly, Executive Director of Washington State’s Progressive Animal Welfare Society (PAWS) stated to PDC staff during a telephone inquiry that a mailing entitled “Dear PAWs supporter” was solely coordinated and paid for by Progressive Animal Welfare Society on May 24, 2000. According to Ms Kelly, this was the only mailing coordinated by the organization concerning I-713. The flyer and enclosed I-713 petition were sent to supporters and members of

Progressive Animal Welfare Society on May 30, 2000. Ms. Kelly stated the criteria for inclusion on the mailing list included:

- individuals who had previously contributed to Progressive Animal Welfare Society;
- individuals who had voted three or four times in previous four elections (identified through a list enhancement conducted by WEAVE - Washington Environmental Alliance for Voter Education).

4.22 Kathy Kelly, Executive Director of Washington State's PAWS reviewed the complainant's assertion that a recipient of the mailing, Washington Falconer's Association, was not a member of PAWS. Ms. Kelly stated Brian Kellog of Washington Falconer's Association in 1996 signed a petition concerning Initiative No. 655. This individual, according to the WEAVE list enhancement match, voted three or four times in previous four elections.

4.23 On November 9, 2000, Shawn Newman, attorney for Protect Our Pets and Wildlife filed an initial response to the complaint and noted he would follow-up with another response at an unspecified date. **(Exhibit 3)** In regards to the Dear PAWS Supporter mailing, Mr. Newman states: **"This was a mailing conducted by PAWS to their members and supporters. According to PAWS, the person cited by Mr. Owens who allegedly received the mailer (Mr. Hirschi) is not on their mailing list. In any case, PAWS has the right to communicate with its members and supporters. One allegedly errant mailing does not constitute a violation"**.

4.24 On February 5, 2001, PAWS filed an Independent Expenditure report reflecting expenditures associated with the mailing entitled "Dear PAWS Supported" conducted in May 2000. **(Exhibit 5)** The cost of the mailing was \$1,005.29. The report also contained costs associated with advertising the organization's support of I-713 in their member magazine, entitled PAWS News. The combined total of the flier and articles were \$9,027.44. Independent expenditure reports are due within ten days of spending \$100.00 or more. This report, due on June 12, 2001 was filed 238 days late.

4.25 On January 17, 2001, Lisa Wathne provided a sworn statement at the office of the Public Disclosure Commission, in Olympia, Washington. Ms. Wathne stated the following concerning the PAWS mailing:

- A. Ms. Wathne states that she first became aware of this mailing: **"When our opponents filed a complaint with you [the PDC] about the letter and you forwarded a copy to me."**
- B. When asked whether Progressive Animal Welfare Society and Protect Our Pets and Wildlife collaborated on this mailing, Ms. Wathne stated: **"Not to my knowledge."** When asked who paid for the postage and printing, Ms. Wathne stated: **"I'm assuming it was PAWS. It was not Protect Our Pets and Wildlife."**

- C. When asked how PAWS got a copy of the petition enclosed in the mailing, Ms. Wathne stated: **“I’m sure they received it from us...Every organization that endorsed our initiative campaign was told that we [Protect Our Pets and Wildlife] were happy to provide them with petitions to distribute to their members as a way of getting our petitions out and was asked to do so if they were able, if they were willing and able to do so that was something that was available to any of our endorsing organizations.”**
- D. When asked whether PAWS requested petitions, Ms. Wathne stated: **“I’m not aware of it.”**
- E. Ms. Wathne was asked whether there was an expectation for the endorsing groups to report in-kind contributions. She stated: **“I don’t remember, I don’t remember ever talking about it...”(Exhibit 6)**

Respectfully submitted this 1st day of July, 2001

Suemary Trobaugh
Senior Political Finance Specialist

EXHIBITS LIST

- Exhibit 1** C-4 report filed on October 12, 2000 by Protect Our Pets and Wildlife.
- Exhibit 2** Complaint letter from Ed Owens, Chairperson for Citizens for Responsible Wildlife Management filed on October 20, 2000.
- Exhibit 3** Response letter from Shawn Newman, attorney for Protect Our Pets and Wildlife filed On November 9, 2000.
- Exhibit 4** C-4 report filed on October 26, 2000 by Protect Our Pets and Wildlife.
- Exhibit 5** Independent Expenditure report filed on February 5, 2001, by Progressive Animal Welfare Society (PAWS).

- Exhibit 6** Sworn statement transcript of interview with Lisa Wathne, conducted on January 17, 2001 at the office of the Public Disclosure Commission.
- Exhibit 7** Second response from Shawn Newman, attorney for Protect Our Pets and Wildlife filed On January 5, 2001 with attached letter from Peter Fenn.
- Exhibit 8** Amended C-4 and Schedule B report filed on November 3, 2000 by Protect Our Pets and Wildlife covering the period of October 13, 2000 through October 26, 2000.